Vol. IX. Numb. 56.

THE OBSERVATOR.

A Perſecution of Diſſenters begun by ſome Juſtices in Carnarvanſhire, *for not coming to Church. The pretended Reaſons of it from the Toleration-Act conſider'd. A ſhort Account of the Methods of the Faction to bring us into Contempt Abroad, and Confuſion at Home; with ſome Caveats to them.*

From Wedneſday, July 26. to Saturday, July 29. 1710.

Countrym. I Saw a Letter from the Country t'other day, Maſter, with an Account that ſome of the Juſtices in *Carnarvanſhire* have begun to perſecute Proteſtant Diſſenters there for not coming to Church. I take this to be a very fair Commentary upon Dr. *Sacheverel*'s Text, that he cannot, *after all his Enquiry, find there's any ſuch thing as a Toleration eſtabliſh'd by Law*; and a plain proof of the Inſincerity of the Faction in their Pretences of *Tenderneſs to Conſciences truly ſcrupulous.*

Obſ. 'Twould ſeem, *Roger*, theſe Perſecutors are ſome of the Gentlemen of that County, who, as the *Poſtboy* inform'd us, had enter'd into an Aſſociation neither to buy nor ſell with Diſſenters: but whether it be ſo or not, I think they deſerve to loſe their Commiſſions, for acting contrary to her Majeſty's Declaration from the Throne, *that the Toleration ſhould be kept inviolable.* Beſides, *Roger*, thoſe Juſtices ſtand charg'd, by the Occaſional Bill of their own Party, as acting contrary to the Doctrine of the Church of *England*, which is there declar'd to be *againſt Perſecution for Conſcience*; ſo that they muſt of neceſſity be Falſe Brethren, even in the Judgment of their own Friends. But pray, what are the Reaſons aſſign'd for this Perſecution?

Countrym. The Letter ſays, Maſter, that the Juſtices alledg the Diſſenters are oblig'd by the Act to take the Oaths of Allegiance and Supremacy, appointed in the 1ſt of *William* and *Mary*, *cap.* 1. and to ſign the Declaration of the 30th of *Car.* II. *cap.* 1. *Stat.* 2. before they have the Liberty of going to Meetings: and tho the Perſons they have begun to proſecute offer'd to take thoſe Oaths, and to ſign that Declaration, the Juſtices will not allow them to do it, but go on with their Perſecution.

Obſ. We ſee what the Party would be at, *Roger*. They are Enemies to the Peace of the Kingdom, and to the Union of the Proteſtant Subjects in Intereſt and Affection, which is the Deſign of the Toleration-Act. They are reſolv'd to try all Methods to bring us into Confuſion at home, and Contempt abroad. 1. They try'd their Occaſional Bill. 2. Their Tack. 3. A *French* Invaſion, headed by the Pretender. 4. Seditious Sermons and Libels againſt her Majeſty's Adminiſtration. 5. Mobs and Rebellions, in defence of an Incendiary try'd for thoſe Crimes. 6. Inſults upon the Government by Mobs, and Bonfires upon his Conviction, becauſe his Sentence was ſo mild. 7. Seditious and Treaſonable Addreſſes to run down the Miniſtry, and diſſolve the Parliament. 8. Rebellious Proceſſions with Colours and Drums, to attend their Tool *Sacheverel* thro the Country, in contempt of Queen and Parliament. And now they are come to Perſecution. There's nothing more for them to do *Roger*, but to break out into a form'd Rebellion, fall to cutting of Throats, and plundering and burning of Houſes. They made a fair beginning while the Parliament ſat; but either their Courage fail'd them, or the Plot was not ripe. 'Tis not improbable that they may renew the Attempt at the next Elections; but they had beſt take care, the Eyes of the Nation are pretty well open'd. Every body is now ſenſible that our Publick Credit is ſunk, and declines daily, according as the Faction prevails; that our Jacobites and Papiſts are grown ſo inſolent, as to publiſh Libels ſtuff'd with High Treaſon. *Leſley*'s *Good Old Cauſe* is a very clear proof of this, as well as a direct Signal of Rebellion; he values himſelf as being the *principal Inſtrument of a Glorious Revolution at hand.* The *French* Court brags of what *Sacheverel* has perform'd, and promiſe themſelves great things from what he and his Party have ſtill in Reſerve: Upon the Confidence of this they have broke off the Negotiations of Peace, and the Pretender makes his Claim by Medals, to the Tune of our Tory-Addreſſes. Now, *Roger*, we may appeal to all Mankind, whether any thing has happen'd Abroad that could occaſion ſuch Turns: Her Majeſty's Arms, and thoſe of her Confederates, triumph by Land; and our Naval Force, in conjunction with the *Dutch*, are Maſters at Sea. Then ſince the Caſe is ſo, we muſt look for the Cauſe at home, which is manifeſtly the Conduct of our High-Church Tories. This muſt certainly bring the Reſentments of the Nation upon them at laſt, for the honeſt *Britains* will never ſubmit to be Papiſts and Slaves.

Countrym. I am perfectly of your Opinion, Maſter; but pray give me your Thoughts of the *Carnarvanſhire* Perſecution, and the Reaſons alledg'd for it.

Obſ. I am of Opinion, *Roger*, that thoſe *Welſh* Juſtices are equally verſ'd in Religion and Law; or in plain Engliſh, that they know nothing of either. To perſecute their Brethren for things, which the Church owns to be indifferent, in the Preface to the Common-Prayer-Book, is contrary to the great Rule of the Goſpel, which is, that *we ſhould love one another.* This is the Badg which our Saviour has given, to diſtinguiſh his Diſciples from the reſt of the World: and ſince God has declar'd himſelf to be Love, they that want it are none of his Children. Theſe Juſtices have as plainly diſcover'd their Ignorance of the Laws of the Land; for by the Toleration-Act, the Diſſenting Laity are not enjoin'd to take thoſe Oaths, or to ſign that Declaration, unleſs they be tender'd to them. This appears by the 13th Paragraph of the Act, where 'tis ſaid, *Every ſuch Perſon that ſhall make and ſubſcribe the two Declarations and Profeſſion aforeſaid, BEING THEREUNTO REQUIR'D*, ſhall be exempted from all the Pains and Penaltys of the aforemention'd Statutes. 'Tis true, this Clauſe has a particular reſpect to

ſuch Diſſenters as ſcruple the taking of Oaths; but no body can ſuppoſe the Legiſlature intended any more Favour to them than to the other Diſſenters, who are by far more numerous and conſiderable: therefore the Equity of the Clauſe muſt reach to them; for there can be no more reaſon why they ſhould be oblig'd to offer their Oaths and Subſcriptions without being tender'd, than that the other Diſſenters, who ſcruple Oaths, ſhould ſo offer their Declarations and Profeſſion. For if thoſe Juſtices be in the right, That none ſhall have liberty to go to Meetings but ſuch as previouſly take thoſe Oaths, *&c.* the Children of Diſſenters, who are not capable of taking the Oaths, ſigning the Declarations and making the Profeſſion, are excluded from the Benefit of the Toleration till they be of ſufficient Age: which is ſo very abſurd, that 'tis not to be ſuppos'd the Parliament ever thought of it.

In the next place, the Juſtices are expreſly enjoin'd, by the ſecond Paragraph, *to tender the Oaths and Declarations to ſuch Perſons as offer to take, make, and ſubſcribe the ſame, and thereof to keep a Regiſter:* And by the fourth Paragraph 'tis enacted, *That ſuch as take the ſaid Oaths, and make and ſubſcribe the ſaid Declarations, ſhall not be liable to any of the Penalties of the Laws for Nonconformity.* Then ſince there is no time limited for their ſwearing and ſubſcribing, their offering it at any time of their own accord, or when requir'd, ought to be accepted, and Proſecution ſtop'd. So that I think the Perſons under trouble in *Carnarvan-ſhire* have a better Plea to proſecute the Juſtices for refuſing to adminiſter the Oaths, than they have to proſecute them for not taking them without being tender'd.

But to make this yet more clear, *Roger*, 'tis to be conſider'd that the Deſign of thoſe Oaths, Subſcriptions, and Declarations, is to prevent Papiſts having any Benefit by the Toleration, as appears by the ſaid Oaths and Declarations themſelves. Therefore they ſeem not enjoin'd to be taken, to qualify the Proteſtant Diſſenting Laity to go to Meetings; but on the contrary, are deſign'd as a Security to prevent their being maliciouſly proſecuted on ſuſpicion of being Papiſts: and on their taking and making them, either of their own accord, or when requir'd, they are to be exempted from the Penaltys of the Laws againſt Nonconformity.

This is yet more plain, *Roger*, by the twelfth Paragraph of the Toleration-Act; where Juſtices are impower'd to require the ſaid Oaths, Subſcription, and Declaration, from any Perſon that goes to Meetings; upon their firſt Refuſal to commit them without Bail or Mainprize, and upon a ſecond to puniſh 'em as Popiſh Recuſants convict. From whence 'tis plain, that none are to be puniſh'd for going to Meetings without taking the ſaid Oaths, but for refuſing them afterwards when tender'd: and 'tis alſo plain, both from this Paragraph and the fourth abovemention'd, that upon taking the ſaid Oaths, *&c.* they are to be exempted from all the Penalties of Nonconformity. And ſince there is no other Exception made againſt exempting Diſſenters, on taking the Oaths, from the ſaid Penalties, beſides their meeting with Doors lock'd, bar'd, or bolted; let the *Carnarvanſhire* Juſtices take heed, leſt they be call'd to an account for uſurping the Legiſlative Authority. *That no man ought to be wiſer than the Law*, or *to diſtinguiſh where that does not*, are known Maxims of the *Engliſh* Law, as is aſſerted by *Coke* in *Calvin*'s Caſe, and elſewhere. We may therefore reaſonably conclude, that upon an Appeal above, thoſe Juſtices will be found criminal, and the Plaintiffs allow'd Damages: but all this is with Submiſſion to the Learned in the Law, *Roger*.

Countrym. I thank you, Maſter; I think you have made the Caſe very plain both in Law and Reaſon: But you ſpeak only of the Diſſenting Laity; How does the Caſe ſtand with relation to their Clergy?

Obſ. You told me only of a Proſecution of the Laity, *Roger*; therefore I ſaid nothing of their Clergy. But by the laſt Paragraph of the Toleration-Act, they are to ſet up no Meeting till the Place be certify'd to the Biſhop, Archdeacon, or Juſtices of Peace; nor to meet afterwards with Doors lock'd, barr'd, or bolted. Upon certifying the Place, they have Liberty to meet; and upon taking the Oaths, *&c.* and ſigning ſuch Articles of the Church, *&c.* as are enjoin'd, they are exempted from the Penaltys of Nonconformity. So that, as I have ſaid formerly, *Roger*, the Toleration is ſo far from weakning the Church of *England*, that it ſtrengthens her hands, and liſts all the Diſſenters under the Banner of her Doctrine, in oppoſition to the Church of *Rome*, even the Quakers not excepted; for they are oblig'd to declare their Belief of the Trinity, and the Divine Inſpiration of the Old and New Teſtament, which by neceſſary conſequence they muſt take for the Rule of their Faith and Manners; and that's the great Criterion of all Proteſtants, which diſtinguiſhes them from Papiſts and other Hereticks.

Countrym. This lets us ſee the Unreaſonableneſs of thoſe Men who libel the Queen and Parliament, as having eſtabliſh'd Schiſm, Fanaticiſm, and I don't know what, Maſter. It diſcovers them to be Enemies to the Peace of the Nation, and that they are engag'd in a Conſpiracy to ruin its Credit: for if the Doctrine of *Sacheverel*, for exterminating Diſſenters, and the Practice of thoſe Juſtices in perſecuting 'em, be follow'd, the Moderate Churchmen muſt be taken to task next, and perſecuted, to the Loſs of their Lives and Eſtates, as in ſome of our late Reigns, for maintaining the Principles which brought about the Revolution, and ſtanding by the Declaration of Rights, which the Faction have condemn'd as Rebellious and Antimonarchical Principles. If they treat us thus, Maſter, while they have the Halter about their necks, by the Laws which eſtabliſh the Revolution and the Succeſſion; what will they do, if ever they get the Adminiſtration intirely into their hands, and a Parliament to their mind? They offer her Majeſty two Titles, or Stools now, inſtead of one ſolid Throne: but if ever that be the Caſe, I am afraid they will make good an *Engliſh* Proverb; ſince the Pretender is ſo far already embolden'd by their Conduct, as to offer at pulling the Throne from under her.

THE Managers and Directors of the Lottery give notice, that they have, by their Order, ſpecially appointed *Andrew Bell* Bookſeller, at the *Croſs Keys* and *Bible* in *Cornhil*, near *Stocks-Market*, to Print and Publiſh the Benefit-Tickets ariſing in every day's Drawing; and that the ſaid Benefit-Tickets will accordingly be Printed and Publiſh'd by him the ſame Night they are drawn, and expos'd to publick Sale, at a Price not exceeding one Penny; and that any Account publiſh'd by any other Perſon or Perſons, otherwiſe than by the ſaid *Andrew Bell*, is not to be depended on, he having from the ſaid Managers and Directors the only correct Copy of every day's Drawing.

By Order of the Managers and Directors.

July 25. 1710. *F. Sorell*, *R. Georges*, } Secretaries.

LONDON Printed, and Sold by S. Popping at the *Raven* in *Pater-noſter-Row*. 1710.